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UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Hidehiro Matsumoto

Serial No.: 09/695,279 **Group Art Unit:** 2681

Filed: October 25, 2000 **Examiner:** Nguyen, David Q.

For: MOBILE WIRELESS COMMUNICATION SYSTEM CARRYING OUT
COMMUNICATION OF A PORTABLE TERMINAL, AN INFORMATION
SOURCE SERVER APPARATUS AND A WIRELESS COMMUNICATION
GATEWAY SERVER APPARATUS

Honorable Commissioner of Patents
Alexandria, VA 22313 - 1450

APPLICANT'S INTERVIEW SUMMARY

Applicant appreciates the courtesies extended to Applicant's representative during a telephone interview on March 15, 2005.

During the telephone interview:

1. No exhibit was shown and no demonstration was conducted.
2. Claims 30-34 were discussed.
3. No references were discussed.
4. No amendments were discussed.
5. Applicant's representative received a telephone call from Examiner Nguyen asking where support may be found in the specification for new claims 30-34. Applicant's representative explained that support for claim 30 may be found in the specification at, for example, page 22, lines 6-23 and page 28, line 26 - page 29, line 11; support for claims 31-32 may be found in the specification at, for example, page 3, lines 15-24; support for claim 33 may be found in the specification at, for example, page 8, lines 18-21, page 20, lines 2-23, page 25, line 9-14, and page 32, lines 1-5; support for claim 30 may be found in the

specification at, for example, page 20, lines 2-23.

Examiner Nguyen then alleged that Applicant's representative elected species I without traverse during a telephone conference on August 9, 2004, and asserted that Applicant's traversal of Examiner Nguyen's restriction requirement in the remarks of the October 29, 2004, Amendment was inconsistent.

Applicant's representative pointed out that contrary to the Examiner's allegation, that Applicant's representative provisionally elected species I with traverse during a telephone conference with the Examiner on August 11, 2004.

Applicant's representative further pointed out that the Examiner failed to present a *prima facie* case for restriction by completely failing to allege that examination and search of all of the claims would present a serious burden as required by M.P.E.P. § 803 and as very clearly explained by the remarks of the October 29, 2004, Amendment.

Further, Applicant's representative explained that the Examiner was required to provide at least a *prima facie* showing of a serious burden if the Examiner intended to maintain the restriction requirement.

6. No other pertinent matters were discussed.

7. Results of the Interview:

The Examiner indicated that another Patent Office Paper would issue soon.

Should the Examiner find the Application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.


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The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: 3/17/07


James E. Howard
Registration No. 39,715

McGinn & Gibb, PLLC
8321 Old Courthouse Rd., Suite 200
Vienna, Virginia 22182
(703) 761-4100
Customer No. 21254